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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION
14

15 UNITED STATES OF AMERICA,)	CASE NO. CR 25-CR-0003-YGR
)	
16 Plaintiff,)	UNITED STATES' RESPONSE TO
)	DEFENDANT'S MOTION FOR EXTENSION OF
17 v.)	TIME TO FILE VENUE MOTION
)	
18 SHENG THAO,)	
ANDRE JONES,)	
19 DAVID TRUNG DUONG, AND)	
ANDY HUNG DUONG,)	
20)	
Defendants.)	

1 At the status conference held on August 14, 2025, the parties agreed to set the matter over for a
2 trial-setting hearing on November 20, 2025. During that status conference, the Court also ordered
3 counsel for Defendant Sheng Thao to file any motion for a change of venue by September 11, 2025, to
4 be heard at the same November 20 hearing. Thao has now asked the Court for an extension of time to
5 file the motion for a change of venue in a motion filed on August 21, 2025.

6 When counsel for Thao sought the government's position regarding the extension of time, the
7 government proposed an extension of more than 30 days from the original date set by the Court, and a
8 briefing schedule that would allow for the motion to be heard at the November 20 hearing.

9 The government's main concern regarding the motion for an extension of time is that it could
10 delay the setting of a trial date and delay the ultimate trial in this case. The government appreciates
11 Defendant's assurances in her motion that "the instant motion is not seeking any delay in the setting of a
12 trial date at the November 20th conference." Dkt. No. 99 at 7; *see also* Tarver Decl. at ¶ 9. Given
13 Defendant's intent to proceed with setting a trial date at the November 20 hearing, as well as
14 Defendant's assurances that the proposed extension will have no effect on the timing of trial, the
15 government does not take a position on Defendant's extension request and is amenable to the briefing
16 schedule set forth in Defendant's motion.

17 The government's view regarding the timing of the briefing and hearing on the possible venue
18 motion does not concede that the investigation cited by Thao for the additional time, including polling
19 and surveys by an outside consultant, is relevant, helpful, or necessary for the Court to determine
20 whether a change of venue is required in this case.

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22 DATED: August 22, 2025

Respectfully submitted,

23 CRAIG H. MISSAKIAN
24 United States Attorney

25 /s/
26 ABRAHAM FINE
27 MOLLY K. PRIEDEMAN
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